



## LICENSING PANEL

13 OCTOBER 2023

<b>REPORT TITLE</b>	<b>HACKNEY CARRIAGE VEHICLE LICENCE</b>
<b>REPORT OF</b>	<b>DIRECTOR OF LAW AND GOVERNANCE</b>

### REPORT SUMMARY

The purpose of this report is for the Licensing Panel to consider whether to license a Peugeot Expert E7, registration number SF61 EHK, outside of the current age policy for licensing Hackney Carriage Vehicles.

### RECOMMENDATION

The Licensing Panel is recommended to determine whether to license a Peugeot Expert E7, registration number SF61 EHK, as a Hackney Carriage Vehicle.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION**

- 1.1 The Licensing Authority have received a request to license a Peugeot Expert E7, registration number SF61 EHK, outside of the current criteria for licensing Hackney Carriage Vehicles. It is a delegated function of the Licensing Panel to determine whether to licence a vehicle as a Hackney Carriage Vehicle when it does not comply with the current criteria for licensing Hackney Carriage Vehicles.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 That the request to license a Peugeot Expert E7, registration number SF61 EHK, be determined by an Officer in accordance with the current criteria for licensing Hackney Carriage Vehicles within the Statement of Hackney Carriage and Private Hire Licensing Policy which would result in the application being refused.

### **3.0 BACKGROUND INFORMATION**

- 3.1 Mr Carney, is the proprietor of a Hackney Carriage Vehicle LTI TXII, registration number DK06 EYY which is currently licensed with Wirral Council.
- 3.2 This vehicle was first licensed as a Hackney Carriage Vehicle prior to 2008 and the current licence is due to expire on 26 February 2024. The date of first registration of this vehicle is 1 March 2006. The vehicle is therefore 17 years and 7 months old.
- 3.3 Mr Carney wishes to change the Hackney Carriage Vehicle that is currently licensed, to a Peugeot Expert E7, registration number SF61 EHK which is 12 years old. The Peugeot Expert E7 meets the criteria for licensing Hackney Carriage Vehicles with the exception of the following requirement:

“In circumstances when a Hackney Carriage Vehicle proprietor wishes to change a Hackney Carriage Vehicle that is currently licensed to a different vehicle, the replacement vehicle must be the same age or less than the vehicle that is currently licensed, up to a maximum of ten years old. Vehicles that are ten years old or more must be replaced by a vehicle that is no more than ten years old”.

- 3.4 Should the Licensing Panel determine that the Peugeot Expert E7, registration number SF61 EHK may be licensed as a Hackney Carriage Vehicle it will be necessary for it to be examined at one of the Council's authorised testing stations in order for it to receive a valid MOT and Compliance certificate.
- 3.5 The vehicle will be available for inspection at the meeting.

### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 There are no specific implications arising from this report.

## **5.0 LEGAL IMPLICATIONS**

5.1 Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 provides that:

- A district council may attach to the grant of a licence of a hackney carriage under the Town and Police Clauses Act of 1847 such conditions as the district council may consider reasonably necessary.
- Without prejudice to the generality of the foregoing subsection, a district council may require any hackney carriage licensed by them under the Act of 1847 to be of such design or appearance or bear such distinguishing marks as shall clearly identify it as a hackney carriage.

5.2 A decision of this Panel can be subject to appeal.

## **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 There are no specific implications arising from this report.

## **7.0 RELEVANT RISKS**

7.1 There are safety implications arising out of this report as the Panel must be satisfied that the vehicle is safe to be licensed as a Hackney Carriage Vehicle.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 This is not a matter that requires consultation.

## **9.0 EQUALITY IMPLICATIONS**

9.1 The Licensing Panel must have regard to their Public Sector Equality Duty when considering the request, in particular the requirements of individuals who have a disability. This vehicle does provide access to persons who wish to travel whilst seated in their wheelchair, it must be fitted with an induction loop to assist individuals with hearing difficulties and has grab handles to assist with access into and egress from the vehicle.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

10.1 Petrol and diesel vehicles contribute to harmful emissions including particulate matter, hydrocarbons and carbon monoxide which can be harmful to health.

10.2 Hybrid and electric cars emit less greenhouse gases and air pollutants than petrol and diesel cars. (Source: European Environment Agency Report 2018).

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

11.1 There are none arising directly from the content of this report.

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**APPENDICES**

None

**BACKGROUND PAPERS**

Email correspondence  
Statement of Hackney Carriage and Private Hire Licensing Policy  
European Environment Agency Report 2018  
Local Government (Miscellaneous Provisions) Act 1976  
Town and Police Clauses Act 1847

**TERMS OF REFERENCE**

This report is being considered by the Regulatory Panel who are delegated to determine such matters in accordance with Section 8.4 of the Regulatory and General Purposes Committee’s Terms of Reference referred to in Part 3, Section B of the Council’s constitution.

**SUBJECT HISTORY (last 3 years)**

Council Meeting	Date